

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

ANDRE L. FAIRCLOTH,

Plaintiff,

v.

CIVIL ACTION NO. 2:13cv156

CAROLYN W. COLVIN,  
Commissioner of Social Security,

Defendant.

ORDER

This matter comes before the court on plaintiff's Motion for Attorney's Fees, filed on July 1, 2014 (ECF No. 27).


On July 21, 2014, this matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure for report and recommendation (ECF No. 31). Report of the magistrate judge was filed on October 9, 2014 (ECF No. 32). The report recommended that plaintiff's Motion be granted in part, and that plaintiff be awarded reasonable attorneys' fees in the amount of \$4,875.00, plus \$350.00 in costs, pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA").

By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired.

The court does hereby adopt and approve the findings and recommendations set forth in the report of the United States Magistrate Judge filed October 9, 2014. Accordingly, plaintiff's Motion for Attorney's Fees is **GRANTED IN PART**, and the plaintiff is **AWARDED** attorneys' fees in the amount of \$4,875.00 (39 hours at the maximum statutory hourly rate of \$125.00), plus costs in the amount of \$350.00. The Clerk shall enter judgment accordingly for the plaintiff.

The Clerk shall forward a copy of this Order to counsel for the parties.

IT IS SO ORDERED.

/s/  
Rebecca Beach Smith  
Chief  
United States District Judge 

REBECCA BEACH SMITH  
CHIEF UNITED STATES DISTRICT JUDGE

October 28, 2014